REMARKS

Claims 1-23 were submitted for examination. In this Office Action, the pending claims 1-23 are rejected under 35 USC 102(e) as being anticipated by Sampat et al (US 5,557,724, hereinafter "Sampat") or rejected under 35 USC 103(a) as being unpatentable over Sampat in view of Dunn et al (US Patent No.:5,721,829, hereinafter "Dunn") or Goode et al (US Patent No.:6,166,730, hereinafter "Goode").

The Examined is appreciated for his thoughtful comments. In the foregoing amendments, independent Claim 1, 15 and 18 are amended to further distinguish from the cited reference. Reconsideration of Claims 1-23 is respectfully requested in view of the following remarks.

In particular, as amended, Claim 1 recites:

...

receiving at the media delivery center a pause request from at least a particular one of the client machines requesting to pause a particular one of the broadcasted programs being delivered to the particular one of the client machines; and

performing the pause request by server-side retention of the program content for the particular one of the broadcasted programs in the media delivery center so as to render the program content following the pause request to be subsequently available to a device chosen by a user of the particular one of the client machines. (*emphasis added*)

The amended claim 1 now clearly recites that a pause request is received in the media deliver center from a client machine. Further, in accordance with the pause request from the client machine, the program content is retained in the media deliver center (e.g., a storage space or a cache) for late retrieval by the client machine. All the recited features are supported in FIG. 3A - FIG. 4 and corresponding descriptions thereof.

In contrast, Sampat shows a pause request for a local machine. In FIG. 9 of Sampat, Pause Services are provided. However, the description thereof, *see* lines 20-37 of Col. 6, clearly shows that the pause is for suspending the reception of a program being multicast from a server so that other things, such as network, disk or

CPU intensive job in the local machine could be handled properly. Sampat also described a pause function on the server side, *see* Lines of 5-20 of Col. 13, in particular, when the pause is requested by a *system operator in the server side*, the MSP (Media Service Provider) stops sending data to MSM (Media Service Manager). There is no any teaching about retention of a paused program. Further it is clear that Sampat teaches two separate pause functions, one at a client machine, and the other at the server, there is no connection between these two separate and independent operations.

Evidently, Sampat fails to teach or suggest that a pause request is received at the media deliver center from a client machine, and the media deliver center performs the retention of a paused program in the media deliver center. As Claims 15 and 18 are amended to include similar features, the Applicants respectfully submit Claim 1, 15 or 18 are neither taught nor suggested by Sampat and shall be allowable over the cited references.

Dunn is cited to reject Claim 2 in conjunction with Sampat, and Goode is cited to reject claims 6, 9, 13-17, and 22. The Applicants respectfully contest such combination as it is believed that there is no motivation to combine these references in the manner proposed by the Examiner. Neither Sampat nor Dunn or Goode, alone or in combination, would have suggested such possible interoperability. Nevertheless, even if these references were to be combined, the combination would still fail to teach or suggest the features recited in these claims including limitations recited in Claim 1.

Dunn teaches a broadcasting of a VOD (video-on-demand) and records an appropriate point when a user switches to a different channel. Dunn does not teach that a user desires to pause a program and the pause request is sent to a server for retention of the remaining portion of the program. In fact, for a VOD, it is well known in the art, the system in Dunn could not perform "*requesting to pause a particular one of the broadcasted programs being delivered*" and "*server-side retention of the program content for the particular one of the broadcasted programs in the media delivery center*".

Goode teaches about an open session of a title after the title is purchased by a subscriber such that the title can be shared among multiple set-top boxes. Contrary to the understanding by the Examiner about lines 30-46 of Col. 4, Goode discusses a user account in general but fails to show "*determining whether an account for the particular one of the clients permits the pause request*; and *ignoring the pause request when said determining determines that the account does not permit the particular one of the clients to pause* ". The Applications also respectfully disagree with the Examiner's official notice that such feature is well known and expected. In the area of delivering media over a network, a pause feature in the server is considered as an added service because, as indicated in the Specification of the current application, see lines 8-27 of page 10, if a live program is paused, a separate storage space at the server must be allocated to continue receiving and retain the remaining portion of the program in the server so that the subscriber could view what has been missed. If such feature was a given, the manageability of the server would be problematic with a large number of subscribers. Accordingly, the Applicants respectfully submit that the above features are novel in the particular area described in the pending application and patentable over the cited references.

Clearly, none of the cited references, viewed alone or in combination, have taught or suggested the combined features recited in the pending claims. In view of the above amendments and remarks, the Applicants believe that Claims 1-23 shall be in condition for allowance over the cited references. Early and favorable action is being respectfully solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplementary Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at (408)777-8873.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to "Commissioner of Patents and Trademarks, Washington, DC 20231", **06/08/2004**.

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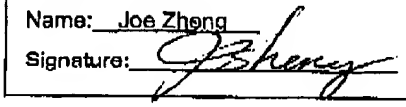
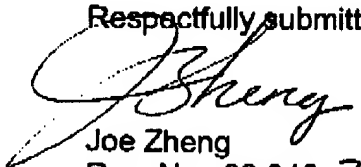
Signature: 

Respectfully submitted;



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